

**Notice of Allowability**

Application No.

09/870,202

Examiner

James S. Wozniak

Applicant(s)

BUSAYAPONGCHAI ET AL.

Art Unit

2655

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/21/2004.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 30 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 4/14/2005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. In response to the office action from 9/30/2004, the applicant has submitted an amendment, filed 12/21/2004, amending Claims 1, 2, 12, and 20, while arguing to traverse the art rejection based on the limitation regarding speech inputs associated with a telephone caller menu system received at a network server in combination with other features of the presently claimed invention (*Amendment, Pages 6-7*). Based on the amended claims and the applicant's arguments, the previous prior art rejections have been withdrawn, and Claims 1-20 are allowable over the prior art of record for the reasons given below.
2. Due to the amendment of Claim 20, the examiner has withdrawn the previous objection regarding an improper dependent claim.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Susan Murphy (*Reg. No. 46,221*) on 4/12/2005.

4. The application has been amended as follows:

In Claim 12, Line 2, change "a speech recognition module that processes speech input" to --a speech recognition module *located at a network server* that processes speech input--.

***Allowable Subject Matter***

5. **Claims 1-20** are allowed over the prior art of record.

6. The following is an examiner's statement of reasons for allowance:

With respect to **Claims 1, 12, and 20**, the prior art of record does not explicitly teach or specifically suggest a method, system or computer readable medium containing a program that enables a menu-based telephone caller system to receive a first speech input associated with a first and independent caller menu software application at a network server. The prior art of record also fails to explicitly teach or specifically suggest the previously noted features in combination with the ability to receive a second speech input associated with a second and independent caller menu software application at a network server. Upon receiving this second speech input associated with the second independent caller menu software application, the present invention suspends the first independent application and stores an indicator representative of a current processing step at the time of receiving the second speech input,

wherein the indicator is in the form of a series of indicators that indicates the application processing path and is stored in a context table as is noted in Page 9, Lines 8-22, which in combination with the above features, is also not explicitly taught or specifically suggested. The data from the context table is utilized to audibly output to a caller a context from an application in a first voice for the first application and a second and different voice for the second application upon a caller request and return an application to a previous processing point as given by the indicator when a caller switches back to the application via a spoken request.

Dependent **claims 2-11 and 13-19** further limit allowable independent claims, and thus, are also allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632 and email is James.Wozniak@uspto.gov. The examiner can normally be reached on Mondays-Fridays, 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached at (703) 305-4827. The fax/phone number for the Technology Center 2600 where this application is assigned is (703) 872-9306.

Art Unit: 2655

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology center receptionist whose telephone number is (703) 306-0377.

James S. Wozniak  
4/14/2005



DAVID L. OMETZ  
PRIMARY EXAMINER